

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKDOC # 31

SCANNED

NEXTEC APPLICATIONS, INC.,  
a Georgia corporation,

Plaintiff, : ECF Case 07 Civ. 06901 (RJH)

v.

BROOKWOOD COMPANIES, INC.,  
a Delaware Corporation; and**NOTICE OF MOTION  
TO ADMIT COUNSEL  
DANIEL N. YANNUZZI  
PRO HAC VICE**THE HALLWOOD GROUP, INC.,  
a Delaware corporation,

Defendants.

PLEASE TAKE NOTICE that upon the annexed affidavit of movant, Daniel N. Yannuzzi, in

support of this motion and the Certificates of Good Standing annexed thereto, we will move this Court before the Honorable Richard J. Holwell at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of movant, a member of the firm of Sheppard Mullin Richter & Hampton, LLP and a member in good standing of the Bar of the State of California, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel.

Dated: February 11, 2008

Respectfully submitted,

SHEPPARD MULLIN RICHTER &amp; HAMPTON LLP

By: Daniel N. Yannuzzi  
12275 El Camino Real, Suite 200  
San Diego, California 92130  
Telephone: (858) 720-8900  
Facsimile: (858) 509-3691  
dyannuzzi@sheppardmullin.com

Attorneys for plaintiff Nextec Applications, Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
 NEXTEC APPLICATIONS, INC., :  
 a Georgia corporation, :  
 Plaintiff, : ECF Case 07 Civ. 06901 (RJH)  
 :  
 v. :  
 :  
 BROOKWOOD COMPANIES, INC., :  
 a Delaware Corporation; and :  
 THE HALLWOOD GROUP, INC., :  
 a Delaware corporation, :  
 :  
 Defendants. :  
 -----x

State of California )  
 ) ss:  
 County of San Diego )

Daniel N. Yannuzzi, being duly sworn, hereby deposes and says as follows:

I am a member of the law firm of Sheppard, Mullin, Richter, & Hampton LLP.

I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.

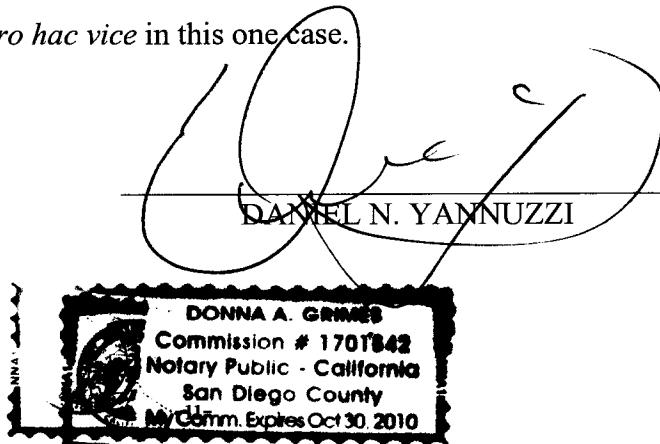
1. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bars of the State of California.
2. There are no pending disciplinary proceedings against me in any State or Federal court.
3. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.

Dated: February 11, 2008

Sworn to before me on this  
11<sup>th</sup> day of February, 2008

Daniel N. Yannuzzi  
 Notary Public

W02-WEST:6DNY1\400706429.1



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NEXTEC APPLICATIONS, INC.,	:	
a Georgia corporation,	:	
	:	
Plaintiff,	:	ECF Case 07 Civ. 06901 (RJH)
	:	
v.	:	
	:	<b><u>DECLARATION</u></b>
BROOKWOOD COMPANIES, INC.,	:	
a Delaware Corporation; and	:	
THE HALLWOOD GROUP, INC.,	:	
a Delaware corporation,	:	
	:	
Defendants.	:	

-----x

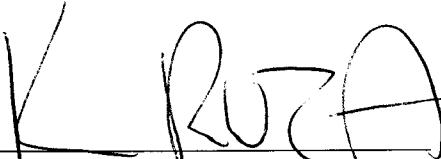
KESARI RUZA, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am associated with the law firm of Sheppard, Mullin, Richter & Hampton, LLP which represents plaintiff Nextec Applications, Inc. in the above-captioned action. I make this declaration in support of the motion, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts, that Daniel N. Yannuzzi, an attorney admitted to practice law in the State of California, be admitted *pro hac vice* for limited admission to the Bar of the United States District Court for the Southern District of New York for all purposes with respect to the above referenced proceeding.

2. I believe Mr. Yannuzzi to be of good character and I know of no reason why this Court should not grant this motion.

WHEREFORE, it is respectfully requested that the motion seeking the *pro hac vice* admission of Mr. Yannuzzi to this Court be granted and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
February 15, 2008

  
KESARI RUZA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

NEXTEC APPLICATIONS, INC.,	:	
a Georgia corporation,	:	
	:	
Plaintiff,	:	ECF Case 07 Civ. 06901 (RJH)
	:	
v.	:	
	:	
BROOKWOOD COMPANIES, INC.,	:	<b>ADMISSION TO PRACTICE</b>
a Delaware Corporation; and	:	<b><u>PRO HAC VICE</u></b>
THE HALLWOOD GROUP, INC.,	:	
a Delaware corporation,	:	
	:	
Defendants.	:	
	x	

The motion for admission to practice *pro hac vice* in the above captioned matter is granted.

The admitted attorney, Daniel N. Yannuzzi, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated:

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United States District Judge



THE  
STATE BAR  
OF CALIFORNIA

180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1639  
TELEPHONE (415) 538-2000

February 8, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DANIEL NICHOLAS YANNUZZI, #196612 was admitted to the practice of law in this state by the Supreme Court of California on October 5, 1998; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert  
Custodian of Membership Records

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEXTEC APPLICATIONS, INC., a Georgia corporation,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC., a Delaware corporation; and THE HALLWOOD GROUP, INC., a Delaware corporation,

Defendants.

Case No.

**AFFIDAVIT OF SERVICE**

DIANA RAMIREZ, being duly sworn, deposes and says:

I am not a party to this action, am over eighteen years of age, and reside in New York County, New York.

On February 19, 2008, I served the within NOTICE OF MOTION TO ADMIT COUNSEL DANIEL N. YANNUZZI PRO HAC VICE, AFFIDAVIT OF DANIEL N. YANNUZZI IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE, DECLARATION AND ADMISSION TO PRACTICE PRO HAC VICE upon counsel as follows:

Thomas J. Parker, Esq.  
ALSTON & BIRD LLP  
90 Park Avenue  
New York, New York 10016-1387  
Telephone: (212) 210-9400  
Facsimile: (212) 210-9444

*Attorneys for Defendant  
Brookwood Companies, Inc.*

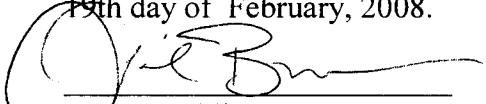
by first-class mail by placing a true copy of same in a properly-addressed, securely-sealed

envelope, postage postpaid, and by causing said envelope to be deposited in an official depository under the exclusive care and custody of the United States Postal Service within the state of New York.



DIANA RAMIREZ

Sworn to before me this  
19th day of February, 2008.



Notary Public

**GAIL BURNA**  
Notary Public, State of New York  
No. 018U6002368  
Qualified in New York County  
Commission Expires February 2, 2010